

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.
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SO. DIST. OF GA.

UNITED STATES OF AMERICA)

v.)

STACY PAUL WADDELL,)

Defendant.)

CASE NO. CR415-095

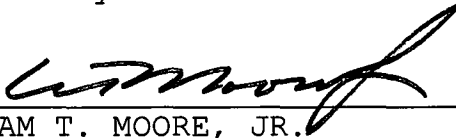
O R D E R

Before the Court are Defendant's Objections (Doc. 142) to the Magistrate Judge's Orders of December 3, 2015 (Doc. 123) and December 23, 2015 (Doc. 138). In his objections, Defendant seeks to appeal the Magistrate Judge's denial of his Motion for Supplemental Evidentiary Hearing (Doc. 85), Motion to Exclude Deposition Evidence (Doc. 104), Motion for Bill of Particulars (Doc. 105), and Emergency Motion for Second Deposition of Prospective Witness (Doc. 131). The Magistrate Judge's denials of these motions are rulings on nondispositive matters. As a result, this Court's review of those decisions is governed by Federal Rule of Civil Procedure 72, which requires this Court to "consider timely objections and modify or set aside any part of the order that is clearly erroneous or is contrary to law." Fed. R. Civ. P. 72(a); see 18 U.S.C. § 636(b)(1)(A) (authorizing magistrate judge to decide nondispositive matters, which district court may reconsider "where it has been shown that the

magistrate judge's order is clearly erroneous or contrary to law").

This standard—clearly erroneous or contrary to law—is exceedingly deferential. Pigott v. Sanibel Dev., LLC, 2008 WL 2937804, at *5 (S.D. Ala. July 23, 2008) (unpublished) (citing Dochniak v. Dominion Mgmt. Servs., Inc., 240 F.R.D. 451, 452 (D. Minn. 2006)). A ruling is clearly erroneous where either the magistrate judge abused his discretion or the district court, after reviewing the entirety of the record, " 'is left with a definite and firm conviction that a mistake has been made.' " Id. (quoting Murphy v. Gardner, 413 F. Supp. 2d 1156, 1162 (D. Colo. 2006)). A decision by the magistrate judge is contrary to law where it either fails to follow or misapplies the applicable law. Id. (quoting S.E.C. v. Cobalt Multifamily Inv'rs I, Inc., 542 F. Supp. 2d 277, 279 (S.D.N.Y. 2008)). Reviewing Defendant's objections and the record in this case, the Court is unable to conclude that any of the Magistrate Judge's orders denying Defendant's motions were either clearly erroneous or contrary to law. Accordingly, Defendant's objections (Doc. 142) are **OVERRULED.**

SO ORDERED this 12th day of February 2016.


WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA